

Sec.		Sec.	
	(a) Employees engaged in commerce; home workers in Puerto Rico and Virgin Islands; employees in American Samoa; seamen on American vessels; agricultural employees.		(a) Restrictions on shipment of goods; prosecution; conviction.
	(b) Additional applicability to employees pursuant to subsequent amendatory provisions.		(b) Investigations and inspections.
	(c) Repealed.		(c) Oppressive child labor.
	(d) Prohibition of sex discrimination.		(d) Proof of age.
	(e) Employees of employers providing contract services to United States.	213.	Exemptions.
	(f) Employees in domestic service.		(a) Minimum wage and maximum hour requirements.
	(g) Newly hired employees who are less than 20 years old.		(b) Maximum hour requirements.
207.	Maximum hours.		(c) Child labor requirements.
	(a) Employees engaged in interstate commerce; additional applicability to employees pursuant to subsequent amendatory provisions.		(d) Delivery of newspapers and wreath-making.
	(b) Employment pursuant to collective bargaining agreement; employment by independently owned and controlled local enterprise engaged in distribution of petroleum products.		(e) Maximum hour requirements and minimum wage employees.
	(c), (d) Repealed.		(f) Employment in foreign countries and certain United States territories.
	(e) "Regular rate" defined.		(g) Certain employment in retail or service establishments, agriculture.
	(f) Employment necessitating irregular hours of work.		(h) Maximum hour requirement: fourteen workweek limitation.
	(g) Employment at piece rates.		(i) Cotton ginning.
	(h) Credit toward minimum wage or overtime compensation of amounts excluded from regular rate.		(j) Processing of sugar beets, sugar beet molasses, or sugar cane.
	(i) Employment by retail or service establishment.	214.	Employment under special certificates.
	(j) Employment in hospital or establishment engaged in care of sick, aged, or mentally ill.		(a) Learners, apprentices, messengers.
	(k) Employment by public agency engaged in fire protection or law enforcement activities.		(b) Students.
	(l) Employment in domestic service in one or more households.		(c) Handicapped workers.
	(m) Employment in tobacco industry.		(d) Employment by schools.
	(n) Employment by street, suburban, or interurban electric railway, or local trolley or motorbus carrier.	215.	Prohibited acts; prima facie evidence.
	(o) Compensatory time.	216.	Penalties.
	(p) Special detail work for fire protection and law enforcement employees; occasional or sporadic employment; substitution.		(a) Fines and imprisonment.
	(q) Maximum hour exemption for employees receiving remedial education.		(b) Damages; right of action; attorney's fees and costs; termination of right of action.
208.	Wage orders in American Samoa.		(c) Payment of wages and compensation; waiver of claims; actions by the Secretary; limitation of actions.
	(a) Congressional policy; recommendation of wage rate by industry committee.		(d) Savings provisions.
	(b) Investigation of industry condition by industry committee; matters considered.		(e) Civil penalties for child labor violations.
	(c) Classifications within industry; recommendation of wage rate.	216a.	Repealed.
	(d) Report by industry committee; publication in Federal Register.	216b.	Liability for overtime work performed prior to July 20, 1949.
	(e) Orders.	217.	Injunction proceedings.
	(f) Due notice of hearings by publication in Federal Register.	218.	Relation to other laws.
209.	Attendance of witnesses.	219.	Separability.
210.	Court review of wage orders in Puerto Rico and the Virgin Islands.		
211.	Collection of data.		
	(a) Investigations and inspections.		
	(b) State and local agencies and employees.		
	(c) Records.		
	(d) Homework regulations.		
212.	Child labor provisions.		

### § 201. Short title

This chapter may be cited as the "Fair Labor Standards Act of 1938".

(June 25, 1938, ch. 676, § 1, 52 Stat. 1060.)

#### SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-202, § 1, May 18, 2000, 114 Stat. 308, provided that: "This Act [amending section 207 of this title and enacting provisions set out as notes under section 207 of this title] may be cited as the 'Worker Economic Opportunity Act'."

#### SHORT TITLE OF 1998 AMENDMENTS

Pub. L. 105-334, § 1, Oct. 31, 1998, 112 Stat. 3137, provided that: "This Act [amending section 213 of this title and enacting provisions set out as a note under section 213 of this title] may be cited as the 'Drive for Teen Employment Act'."

Pub. L. 105-221, § 1, Aug. 7, 1998, 112 Stat. 1248, provided that: "This Act [amending section 203 of this title] may be cited as the 'Amy Somers Volunteers at Food Banks Act'."

#### SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-188, [title II], § 2104(a), Aug. 20, 1996, 110 Stat. 1928, provided that: "This section [amending section 206 of this title] may be cited as the 'Minimum Wage Increase Act of 1996'."

#### SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104-26, § 1, Sept. 6, 1995, 109 Stat. 264, provided that: "This Act [amending section 207 of this title and

enacting provisions set out as a note under section 207 of this title] may be cited as the ‘Court Reporter Fair Labor Amendments of 1995’.”

#### SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101–157, §1(a), Nov. 17, 1989, 103 Stat. 938, provided that: “This Act [enacting section 60k of Title 2, The Congress, amending sections 203, 205 to 208, 213, 214, and 216 of this title, and enacting provisions set out as notes under sections 203 and 206 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1989’.”

#### SHORT TITLE OF 1985 AMENDMENT

Pub. L. 99–150, §1(a), Nov. 13, 1985, 99 Stat. 787, provided that: “This Act [amending sections 203, 207, and 211 of this title and enacting provisions set out as notes under sections 203, 207, 215, and 216 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1985’.”

#### SHORT TITLE OF 1977 AMENDMENT

Pub. L. 95–151, §1(a), Nov. 1, 1977, 91 Stat. 1245, provided that: “This Act [amending sections 203, 206, 208, 213, 214, and 216 of this title and enacting provisions set out as notes under sections 203, 204, and 213 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1977’.”

#### SHORT TITLE OF 1974 AMENDMENT

Pub. L. 93–259, §1(a), Apr. 8, 1974, 88 Stat. 55, provided that: “This Act [enacting section 633a of this title, amending sections 202 to 208, 210, 212 to 214, 216, 255, 260, 630, and 634 of this title, and enacting provisions set out as notes under this section and sections 202, 206, 207, 213, and 621 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1974’.”

#### SHORT TITLE OF 1966 AMENDMENT

Pub. L. 89–601, §1, Sept. 23, 1966, 80 Stat. 830, provided: “That this Act [amending sections 203, 206, 207, 213, 214, 216, 218, and 255 of this title, and enacting provisions set out as notes under sections 207 and 214 of this title, section 1082 of former Title 5, Executive Departments and Government Officers and Employees, and section 2000e–14 of Title 42, The Public Health and Welfare] may be cited as the ‘Fair Labor Standards Amendments of 1966’.”

#### SHORT TITLE OF 1963 AMENDMENT

Pub. L. 88–38, §1, June 10, 1963, 77 Stat. 56, provided: “That this Act [amending section 206 of this title and enacting provisions set out as notes under section 206 of this title] may be cited as the ‘Equal Pay Act of 1963’.”

#### SHORT TITLE OF 1961 AMENDMENT

Pub. L. 87–30, §1, May 5, 1961, 75 Stat. 65, provided: “That this Act [amending sections 203 to 208, 212 to 214, 216, and 217 of this title and enacting provisions set out as a note under section 213 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1961’.”

#### SHORT TITLE OF 1956 AMENDMENT

Act Aug. 8, 1956, ch. 1035, §1, 70 Stat. 1118, provided: “That this Act [amending sections 206, 213, and 216 of this title] may be cited as the ‘American Samoa Labor Standards Amendments of 1956’.”

#### SHORT TITLE OF 1955 AMENDMENT

Act Aug. 12, 1955, ch. 867, §1, 69 Stat. 711, provided: “That this Act [amending sections 204–206, 208, and 210 of this title and enacting provisions set out as notes under sections 204, 206, and 208 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1955’.”

#### SHORT TITLE OF 1949 AMENDMENT

Act Oct. 26, 1949, ch. 736, §1, 63 Stat. 910, provided: “That this Act [enacting section 216b of this title,

amending sections 202 to 208, 211 to 216, and 217 of this title, and repealing section 216a of this title] may be cited as the ‘Fair Labor Standards Amendments of 1949’.”

### § 202. Congressional finding and declaration of policy

(a) The Congress finds that the existence, in industries engaged in commerce or in the production of goods for commerce, of labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers (1) causes commerce and the channels and instrumentalities of commerce to be used to spread and perpetuate such labor conditions among the workers of the several States; (2) burdens commerce and the free flow of goods in commerce; (3) constitutes an unfair method of competition in commerce; (4) leads to labor disputes burdening and obstructing commerce and the free flow of goods in commerce; and (5) interferes with the orderly and fair marketing of goods in commerce. That Congress further finds that the employment of persons in domestic service in households affects commerce.

(b) It is declared to be the policy of this chapter, through the exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct and as rapidly as practicable to eliminate the conditions above referred to in such industries without substantially curtailing employment or earning power.

(June 25, 1938, ch. 676, §2, 52 Stat. 1060; Oct. 26, 1949, ch. 736, §2, 63 Stat. 910; Pub. L. 93–259, §7(a), Apr. 8, 1974, 88 Stat. 62.)

#### AMENDMENTS

1974—Subsec. (a). Pub. L. 93–259 inserted finding of Congress that employment of persons in domestic service in households affects commerce.

1949—Subsec. (b). Act Oct. 26, 1949, inserted reference to regulation of commerce with foreign nations.

#### EFFECTIVE DATE OF 1974 AMENDMENT

Section 29(a) of Pub. L. 93–259 provided that: “Except as otherwise specifically provided, the amendments made by this Act [see Short Title of 1974 Amendment note set out under section 201 of this title] shall take effect on May 1, 1974.”

#### EFFECTIVE DATE OF 1949 AMENDMENT

Section 16(a) of act Oct. 26, 1949, provided that: “The amendments made by this Act [enacting section 216b of this title, amending this section and sections 203 to 208, 211 to 216, and 217 of this title, and repealing section 216a of this title] shall take effect upon the expiration of ninety days from the date of its enactment [Oct. 26, 1947]; except that the amendment made by section 4 [amending section 204 of this title] shall take effect on the date of its enactment [Oct. 26, 1949].”

#### RULES, REGULATIONS, AND ORDERS WITH REGARD TO FAIR LABOR STANDARDS AMENDMENTS OF 1974

Section 29(b) of Pub. L. 93–259 provided that: “Notwithstanding subsection (a) [set out as an Effective Date of 1974 Amendment note above], on and after the date of the enactment of this Act [Apr. 8, 1974] the Secretary of Labor is authorized to prescribe necessary rules, regulations, and orders with regard to the amendments made by this Act [see Short Title of 1974 Amendment note set out under section 201 of this title].”